

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHARLES DEMPSEY, individually, and
L.D. by her father and natural guardian, Charles
Dempsey,

Plaintiffs,

v.

THE CITY OF ROCHESTER, a municipal
entity, et al.,

Defendants.

ERIN GURSSLIN,

Plaintiff,

v.

CITY OF ROCHESTER, A municipal
entity, et al.,

Defendants.

MARIANNE ANNISZKIEWICZ,

Plaintiff,

v.

THE CITY OF ROCHESTER, a municipal
entity, et al.,

Defendants.

AMENDED SCHEDULING ORDER

19-CV-6780-EAW-MWP

20-CV-6508-EAW-MJP

20-CV-6629-FPG-MWP

CHERYL COX,

Plaintiffs,

22-CV-6207-FPG-MJP

v.

CITY OF ROCHESTER, et al.,

Defendants.

Further to a joint discovery conference having been held with United States Magistrate Judges Marian W. Payson and Mark W. Pedersen on January 12, 2023, and the Court having received a joint request by counsel for an extension of the discovery deadlines in the above-referenced matters and consolidation of *Monell* discovery in the above-captioned cases, and good cause having been shown, it is

ORDERED that:

1. By no later than **March 15, 2023**, the parties will submit a letter to the Court regarding the outstanding *Monell* paper discovery, including any disputes for which the parties need Court intervention.
2. All outstanding *Monell* paper discovery shall be completed by **May 19, 2023**.
3. All *Monell* depositions to be completed by **May 31, 2023**.
4. Post-deposition demands and responses shall be completed by **July 17, 2023**.

5. Motions to compel *Monell* discovery shall be filed by **July 31, 2023**.

6. The City's Rule 30(b)(6) depositions shall be completed by **August 18, 2023**.

7. All factual discovery shall be completed on or before **October 18, 2023**.

8. Plaintiffs shall identify any expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)(A) and provide reports pursuant to Rule 26(a)(2)(B) and/or disclosures pursuant to Rule 26(a)(2)(C) by **December 15, 2023**. Defendants shall identify any expert witnesses and provide reports pursuant to Fed. R. Civ. P. 26 by **February 16, 2024**. Parties shall complete all discovery relating to experts, including depositions, by **April 16, 2024**.

9. Dispositive motions, if any, shall be filed no later than **May 31, 2024**.

Unless a consent to proceed before a United States Magistrate Judge has been filed in the case, such motions shall be made returnable before the trial judge assigned to the matter.

10. A trial date status conference pursuant to Fed. R. Civ. P. Rule 16(e) and Local Rule 16 will be held, if necessary, at a date and time to be determined by the trial judge assigned to the matter after determination of dispositive motions. If no dispositive motions are filed, counsel shall **immediately** contact the trial judge so that a trial date status conference can be scheduled.

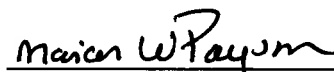
At least seven (7) days prior to the trial date status conference, the parties shall file a joint case status report setting forth the information described below. If the parties disagree as to the information to be provided, the report must set forth their different responses. The joint status report shall contain:

- (1) Nature of the Case: Set forth a brief description of the action, identifying the parties, all counsel of record, the relief requested, any affirmative defenses and any relationship the case may have to other pending actions.
- (2) Motion Practice: Are any motions, dispositive or non-dispositive, pending? If so, briefly describe the motion. Explain if additional motion practice is necessary before the matter is ready to be tried.
- (3) Settlement: Describe the status of settlement negotiations. If the parties believe a court supervised settlement/mediation conference would be of assistance in resolving the case or narrowing disputed issues, please state.
- (4) Trial: State whether the case is ready for trial. If not, explain why. Set forth an estimate of how long the trial will take and whether the case is jury or non-jury.

No extension of the above cutoff dates will be granted except upon written application, made prior to the cutoff date, showing good cause for the extension. Application for extensions should be made to the Magistrate Judge assigned to the matter. Joint or unopposed requests to extend the deadlines set forth in this order need not be made by formal motion, but

rather may be sought in a letter to the court. Letter requests must detail good cause for the extension and propose new deadlines.

IT IS SO ORDERED.



MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
January 25, 2023



MARK W. PEDERSEN
United States Magistrate Judge

Dated: Rochester, New York
January 25, 2023